

250.20

STATE OF CALIFORNIA
Edmund G. Brown, Jr., Governor

MINUTES
SAN JOAQUIN RIVER CONSERVANCY
Governing Board
Wednesday, April 11, 2018,

Board Meeting Locations:
Fresno Metropolitan Flood Control District
5469 E. Olive, Fresno CA 93727
and
California Natural Resources Agency
1416 Ninth Street, Suite 1311
Sacramento, CA 95814

5469 E. Olive Avenue
Fresno, California 93727
Telephone (559) 253-7324
Fax (559) 456-3194
www.sjrc.ca.gov

GOVERNING BOARD

Brett Frazier, Chairperson
*Supervisor,
Madera County Board of Supervisors*

William Oliver, Vice-Chairperson
Councilmember, City of Madera

Andreas Borgeas, *Supervisor
Fresno County Board of Supervisors*

Steve Brandau
Councilmember, City of Fresno

Kacey Auston, *Director, Fresno
Metropolitan Flood Control District*

Carl Janzen, *Director
Madera Irrigation District*

Julie Vance, *Regional Manager
Department of Fish and Wildlife*

Kent Gresham, *Sector Superintendent
Department of Parks & Recreation*

John Donnelly, *Executive Director
Wildlife Conservation Board*

Julie Alvis, *Deputy Assistant Secretary
Natural Resources Agency*

Jennifer Lucchesi, *Executive Officer
State Lands Commission*

Karen Finn, *Program Budget Manager
Department of Finance*

Bryn Forhan
Paul Gibson
Vacant
Citizen Representatives

Melinda S. Marks
Executive Officer

MEETING AGENDA

CALL TO ORDER & PLEDGE OF ALLEGIANCE

Chairman Frazier called the meeting to order at 10:02 a.m. Mr. Brandau led the pledge of allegiance.

A. ROLL CALL

Name	Present	Telecon- ference	Absent	Late
Mr. Frazier	X			
Mr. Oliver	X			
Mr. Borgeas			X	
Mr. Brandau	X			
Ms. Auston	X			
Mr. Janzen	X			
Ms. Alvis	X			
Mr. Hatler	X			
Mr. Gresham	X			
Mr. Donnelly		X		
Ms. Lucchesi		X		
Ms. Finn		X		
Ms. Forhan	X			10:02 a.m.
Mr. Gibson	X			

Ms. Bains confirmed a quorum was present.

Legal Counsel Present: Michael Crow, Deputy Attorney General (via teleconference)
Christina Morkner Brown, Deputy Attorney General

Staff present: Melinda Marks, Executive Officer
Rebecca Raus, Associate Governmental Program Analyst
Jasanjit Bains, Staff Services Analyst
Heidi West, Program Manager, San Joaquin River Conservancy
Projects, Wildlife Conservation Board

B. PUBLIC COMMENT & BUSINESS FROM THE FLOOR

The first ten minutes of the meeting are reserved for members of the public who wish to address the Conservancy Board on items of interest that are not on the agenda and are within the subject matter jurisdiction of the Conservancy. Speakers shall be limited to three minutes. The Board is prohibited by law from taking any action on matters discussed that are not on the agenda; no adverse conclusions should be drawn if the Board does not respond to the public comment at this time.

Mr. Richard Fairbank, a member of the public, asked if there will be public comment on item G-1. Chairman Frazier confirmed there would be.

Ms. Forhan arrived at 10:02 a.m.

C. ADDITIONS TO THE AGENDA

Items identified after preparation of the agenda for which there is a need to take immediate action. Two-thirds vote required for consideration. (Gov. Code § 54954.2(b)(2))

There were no additions to the agenda. Chairman Frazier suggested, because a quorum is needed for the Closed Session and the meeting might take time, the Closed Session would take place after Agenda Item G-1.

D. POTENTIAL CONFLICTS OF INTEREST

Any Board member who has a potential conflict of interest may identify the item and recuse themselves from discussion and voting on the matter. (FPPC §97105)

There were none.

E. MINUTES

E-1 Approve Minutes of February 7, 2018

Mr. Oliver moved to approve the meeting minutes from the February 7, 2018, Board meeting as written; Ms. Forhan seconded the motion.

ROLL CALL VOTE:

Name	Yes	No	Abstain
Mr. Frazier	X		
Mr. Oliver	X		
Mr. Brandau	X		
Ms. Auston	X		
Mr. Janzen	X		
Mr. Hatler	X		
Mr. Gresham	X		
Mr. Donnelly	X		
Ms. Alvis	X		
Ms. Lucchesi	X		
Ms. Finn	X		
Ms. Forhan	X		
Mr. Gibson	X		

The meeting minutes for February were approved unanimously.

F. CONSENT CALENDAR

All items listed below will be approved in one motion unless removed from the Consent Calendar for discussion:

F-1 Authorize Agreements for Fire Prevention/Weed Abatement on Specific Conservancy Properties

Staff recommendation: It is recommended the Board authorize fire prevention, weed abatement and fuel-load reduction agreements for various Conservancy properties as specified below

F-2 Authorize an Agreement with the City of Fresno to Support the Life and Environmental Sciences River Excursions Program

Staff recommendation: It is recommended the Board authorize an agreement for services not to exceed \$11,000 with the City of Fresno Parks, After-School, Recreation, and Community Services Department (PARCS) to provide specified community education and recreation programs on Conservancy lands.

A motion was made by Mr. Gibson to approve the Consent calendar items. The motion was seconded by Ms. Forhan.

ROLL CALL VOTE:

Name	Yes	No	Abstain
Mr. Frazier	X		
Mr. Oliver	X		
Mr. Brandau	X		
Ms. Auston	X		

Mr. Janzen	X		
Mr. Hatler	X		
Mr. Gresham	X		
Mr. Donnelly	X		
Ms. Alvis	X		
Ms. Lucchesi	X		
Ms. Finn	X		
Ms. Forhan	X		
Mr. Gibson	X		

The motion passed unanimously. The Consent Calendar items were approved.

G. DISCUSSION

- G-1** Adopt Resolution 18-01 Certifying the San Joaquin River Parkway Master Plan Update Final Environmental Impact Report, and Approving the Proposed Plan, Including Adoption of Findings, Statement of Overriding Considerations, and Mitigation Monitoring and Reporting Program
SCH No. 2013061035

Staff recommendation: After providing an opportunity for public comment, it is recommended the Board consider the San Joaquin River Parkway Master Plan Update (proposed Plan or proposed Project) Final Environmental Impact Report (EIR) and adopt the proposed Resolution 18-01 to:

1. Certify the Final EIR was completed in compliance with CEQA, was presented to the Board, which reviewed and considered the Final EIR information, and reflects the Board's independent judgement, in accordance California Environmental Quality Act (CEQA) Guidelines Section 15090; and
2. Approve the proposed Plan, including Resolution 18-01 exhibits presenting the necessary Findings of Fact and Statement of Overriding Considerations, and Mitigation Monitoring and Reporting Program, in accordance with CEQA Guidelines Sections 15091, 15092, and 15097.

Ms. Marks introduced Ms. Christina Morkner Brown, Deputy Attorney General, who will be participating as legal counsel since the California Environmental Quality Act (CEQA) is one of her areas of expertise, and introduced Steve Noack, of Placeworks, the project manager for completion of the FEIR. Ms. Marks noted that Mr. Crow, legal counsel, will also be participating via teleconference.

Ms. Marks informed the Board that agenda item G-1 recommends the Board approve Resolution 18-01, which certifies the FEIR and approves the proposed updated Master Plan. The Resolution, which includes the Findings, Statement of Overriding Considerations, and the Mitigation Monitoring and Reporting Program were provided to the Board prior to the meeting. The proposed Project updates the existing Master Plan which was adopted in December 1997. It guides at a policy level the future improvements to the Parkway, and presents goals, policies, guidelines, best management practices and conceptual projects and opportunities. The updated plan identifies what is existing in the Parkway and presents opportunities that might become available to implement the Parkway. The Plan does not include site-specific review; it is a program level, plan level document. The updated Master Plan includes almost all of the 1997 policies, which are the foundation of the Plan and Parkway projects to date. New policies are shown in bold in the

updated Plan. New illustrations show lands that have been acquired for the Parkway. Lands that are not publicly owned or plans that have not been approved are identified as “opportunities.” The Board reviewed all of the proposed policies 2013, and those became the policies that were reviewed in the EIR. The policies guide Parkway development, but the Board maintains its authority and discretion in applying those policies to specific projects. The Conservancy only acquires lands and easements on a willing buyer-willing seller basis; the Plan is a guidance document and does not identify lands that will be acquired, if there are not successful negotiations to acquire those properties. For figures 5-1 through 5-12 of the Plan, illustrated in black are uses that already exist, in grey are uses things that are planned and already approved, and in white shows opportunities that might be possible—these are a vision, but are not directive. As noted on the figures, the locations of all Parkway facilities are subject to acquiring property or easements from willing sellers, site-specific and project-specific design, environmental review, and public participation.

Steve Noack, Principal with Placeworks and the Project Manager and Principal for the EIR summarized the EIR process. He indicated the information in the EIR does not dictate outcome or approval of a project, it discloses the environmental impacts. Mitigation measures are prescriptive measures that are utilized when future projects are developed. Once a programmatic level EIR is adopted future projects can be reviewed through a more streamlined CEQA review process. The EIR shapes future projects and any mitigation measures that are required to approve those projects. The Notice of Preparation for the EIR was released in 2013, and staff received comments from interested parties regarding the issues that should be analyzed. The Draft EIR was released last spring for a 60-day public review. Upon receipt of the comments, the FEIR was prepared, including responses to comments. Now, the Board holds its hearing for certification of the FEIR. In the FEIR, there were 79 impact topics where the Plan would result in no impact or less than significant impacts; no mitigation measures are required. There were 12 potentially significant impacts that were reduced to less than significant through the recommended mitigation measures. There were a number of impacts that are assumed to result in significant unavoidable impacts, primarily because the potential for impacts cannot be fully evaluated on programmatic level. Resolution 18-01 includes in the exhibit a Statement of Overriding Considerations, stating the benefits that will be achieved by the project that outweigh these potential impacts. The EIR must be certified by the lead agency as presented in the Resolution, in order to approve the proposed Plan.

BOARD COMMENTS:

Mr. Oliver thanked Mr. Noack for the presentation and mentioned the importance and value of the EIR. He inquired about the prolonged time frame of the environmental review. Ms. Marks responded that there were many draft documents--biological assessments, cultural resources assessments, other appendices, transportation analysis, a programmatic level EIR. It was a large workload for the Conservancy staff, and the early unwieldy drafts of the DEIR took a lot of time for extensive review. Ms. Heidi West of the Wildlife Conservation Board provided a great deal of expertise and assistance. The last year, this project was put on hold, so that the environmental review of the River West project could be resolved.

Mr. Gibson inquired about the commenters on the FEIR and asked who they were. Ms. Marks read from the list of commenters from Chapter 4 of the FEIR. Ms. Marks stated she appreciates the public involvement. All responses to comments are located in Chapter 5 of the FEIR.

Mr. Janzen stated, as we move forward, things change; the Conservancy might find that the potential loss of farmland due to the Parkway might not be as significant as it appears today. Mr. Noack responded that the FEIR provides flexibility. The Conservancy would look at the need for

providing mitigation on a project-specific basis and could recognize any changes in conditions over time.

Mr. Janzen expressed concern that the biological resources mitigation measures might be overly protective in some instances. Ms. Marks responded that all biological measures are written based on the current list of endangered/threatened/protected species, and during project-specific review it would be determined if they occur at the site. The measures are written to first avoid impacts if possible. EIRs are costly documents. If all of the conditions that might happen for a future project have already been considered in the Parkway Master Plan Programmatic EIR, the Board may be able to proceed with the project, provided the appropriate mitigation measures that are on the list are implemented. It helps make future work a little easier.

PUBLIC COMMENTS

Mr. Richard Fairbank, a Fresno resident representing Mr. Zinkin who has property at the river bottom, stated he had reviewed the Master Plan and EIR looking for anything that regulate or place limitations pertaining to privately owned properties, as opposed to plans that addressed the use and development of Conservancy land. He did not find anything that would regulate private land and requested clarification as to whether that is in fact the case. Ms. Marks confirmed that the Conservancy does not have land use authority over private lands. In fact, some of the older policies that implied that Parkway policies would apply to private lands are re-worded in the proposed Master Plan to make it clear that the policies apply to the lands that are owned by the State/Conservancy.

Mr. Fairbank added he is not in opposition to approval of the Master Plan.

Mr. Bill Skinner, representative for MACTRA and Golden Bear companies, presented two comment letters to the Board. Mr. Skinner read from the letter from MACTRA, expressing concerns that the boundaries of the Parkway have not been adequately mapped or analyzed and raising concerns about recreational trails being incompatible uses in some locations. The letter expressed that transportation and traffic were not adequately addressed. He requested a continuance of the hearing and that no action be taken until the issues in the letter have been addressed and responded to.

Chairman Frazier asked if there were other commenters. There were none. Mr. Frazier closed the public comment portion for the agenda item, and asked staff to respond to issues raised.

Ms. Marks noted that the letter commented on the lack of detail in the Plan maps. The Master Plan maps are illustrations, including a vision of what could occur if the Conservancy acquires certain lands. The letter circled items on maps 2 of 7 and 3 of 7 of the FEIR (maps in chapter 5 of the Master Plan) and raised concerns about a possible trail illustrated traversing the Dragonfly Golf Course. When the golf course was approved by the County of Madera, the purple area adjacent to the golf course was quit-claimed to the State Lands Commission for the purpose of maintaining public rights to access the river through state trust lands. There was also a trail easement that was dedicated as a result of Madera County approval; it is shown bisecting the golf course. It is recognized that the easement could not be safely exercised in the alignment shown. The property owners would need to be involved in order to relocate the easement and implement a trail.

Mr. Frazier inquired about whether the Conservancy could guarantee that the trail would not go through the golf course, if it is not addressed in the EIR. Ms. Marks stated that in order to

implement the trail, there would also need to be project-level review; due to safety issues the trail would have to be realigned.

Mr. Thomas Skinner, a representative of MACTRA, stated their concern is that the dotted line might become a plan line for a multi-use trail, and that consistency with that plan would be enforced by the County if the owners applied for land use entitlements in the future.

Mr. Frazier asked staff if there is a way to have the line removed.

Ms. Marks mentioned the line represents an opportunity for a secondary hiking trail which has not been approved by the board. In 2003, the Conservancy, agency, and then-owners of the golf course participated actively in developing an alignment for the secondary trail; that alignment is now illustrated on the Master Plan. If the line is on private property, it's just an illustration of a possibility.

Mr. Gibson inquired about whether the Conservancy owns the trail easement that is shown on the map. Ms. Marks stated she was unsure to which entity the trail easement traversing the golf course was dedicated to.

Mr. Gibson stated the Conservancy can only build on easements that the public owns. If the Conservancy does not own the easement, it cannot build a trail on the easement. Ms. Marks added that the easement was dedicated before she started working for the Conservancy, but she believed the easement exists; in any case, the trail would need site-specific analysis and is not a part of what the Board would be adopting today.

Ms. Morkner-Brown added there were no comments received on this issue before this letter submitted today. We do not have the easement documents available to review today.

Ms. Forhan stated that the Draft EIR was out for review in 2017; was there no communication with the golf course property owners?

Ms. Marks responded that she had been in close communication over the years and as recently as last year with Mr. Dave Brodie, representing the property owner at the time. Mr. Brodie has been on the agenda distribution list and has been attending the meetings until recently. She had not been made aware of a change in title in the time since her last communications with Mr. Brodie.

Mr. Skinner stated there was a title change in 2014, and that Mr. Brodie retired and is no longer associated with the golf course. MACTRA took over in 2013. Mr. Skinner requested that if the trail traversing the golf course as shown on page 6 of their letter is not a part of the plan, the Conservancy should take it off the map.

Mr. Donnelly inquired about the map in reference. (There was a loss of internet connection, the GoTo Meeting was not connected.) Ms. Marks referred him to Figure 5-6 area 3 of 7 in the proposed Master Plan. She noted that if the public owns the easement, whether it is shown on the map or not, the easement can be exercised. Removing the line as requested would not affect the proposed action today.

Mr. Skinner stated there is no easement that shows up on the property title report. If there is an easement that was not recorded, they would like the records.

Mr. Frazier suggested through the motion today the Board could remove the referenced line and engage with the property owner and its designees to research the easement.

Ms. Marks reiterated that the lines are merely illustrations. If they are on private property and there is no public right-of-way, then they are only illustrations and do not carry any regulatory weight.

Mr. Crow added that, although it was a long time ago, he recalled an easement associated with a quit-claim deed following a survey by the State Lands Commission. If there is an easement, but it was not recorded, that does not mean the easement is invalid. The easement may still exist.

Ms. Marks reiterated the Master Plan is not a regulatory document; the Conservancy does not have land use authority over private lands. She proposed to strike the line in question and will follow up with additional research of the easement in question.

Mr. Gibson suggested, if there is an easement, Mr. Skinner might want to notify his title insurance provider and review the statements on the title policy. The company can research that information.

Ms. Morkner-Brown concurred that this plan is not regulatory—it is not a zoning restriction, it's not a mandatory policy, all the lines are illustrative, conceptual and subject to future CEQA review, acquisition and development. The Board may choose to erase this particular line, but also note that all of the lines shown are not imposing any restriction or assuming specific development.

It was moved by Mr. Gibson to approve the Resolution 18-01 [certifying the San Joaquin River Parkway Master Plan Update Final Environmental Impact Report (FEIR), and approving the proposed Plan, including adoption of Findings, Statement of Overriding Considerations, and Mitigation Monitoring and Reporting Program] and, with regard to map 3 of 7 of the FEIR [and as the same map is shown in the Master Plan], the “yellow line” referencing an area across Dragonfly Golf Course shall be removed. The motion was seconded by Mr. Oliver.

ROLL CALL VOTE:

Name	Yes	No	Abstain
Mr. Frazier	X		
Mr. Oliver	X		
Mr. Brandau	X		
Ms. Auston	X		
Mr. Janzen	X		
Mr. Hatler	X		
Mr. Gresham	X		
Mr. Donnelly	X		
Ms. Alvis	X		
Ms. Lucchesi	X		
Ms. Finn	X		
Ms. Forhan	X		
Mr. Gibson	X		

The motion unanimously passed.

I. EXECUTIVE SESSION

Before convening in closed session, members of the public will be provided the opportunity to comment on Executive Session agenda items.

There were no public comments. The Board took item I-1 out of order and convened in closed, Executive Session.

I-1 CONFERENCE WITH LEGAL COUNSEL—ANTICIPATED LITIGATION

Initiation of litigation pursuant to subdivision (c) of Government Code Section 54956.9:
1 potential case

Mr. Crow reported out of Closed Session that with regard to Agenda Item I-1 the Board gave staff direction regarding contacting the lessee of the Bluff Pointe Golf Course and entering into negotiations to potentially resolve outstanding legal issues.

G-2 Summary of Proposals and Recommendations of the Evaluation Panel Regarding Applications for the Multi-Benefit Water Quality, Water Supply, Ecosystem and Watershed Protection and Restoration Grants for the 2017-2018 Cycle

Staff recommendation: It is recommended the Board decline to fund the single grant proposal received the 2017-2018 application cycle, from River Partners to perform California Environmental Quality Act (CEQA) and other services for a possible habitat restoration project on the Conservancy's Ball Ranch and the Department of Fish and Wildlife's (CDFW) Willow Unit of the San Joaquin River Ecological Reserve, and direct staff to assist River Partners in refining the proposal for future Board consideration.

Ms. Raus presented a summary of Proposition 1 grants to date. In March 2016 Proposition 1 funds were awarded to River Partners for a habitat restoration opportunities analysis at Ball Ranch and the Willow Unit of the San Joaquin River Ecological Reserve managed by California Department of Fish and Wildlife (CDFW). In February 2017, River Partners completed a presentation to the Board providing their habitat enhancement recommendations. The Conservancy has received and accepted the report as complete. It will be provided to the Board at the May meeting. This cycle, the Conservancy received only one proposal, from River Partners, for habitat restoration on Ball Ranch and the Willow Unit. The work included CEQA review and permitting. The proposed restoration project would encompass state property under the jurisdiction of the Conservancy, CDFW, and possibly the State Lands Commission. The evaluation panel felt the proposed scope of work was not well defined and over budgeted. River Partners did not clearly present its proposed scope of work. The panel's scores were below 70, which are considered unacceptable scores. Staff and the evaluation panel recommend the Board decline to fund the grant and direct staff to work with CDFW and River Partners to develop a scope of work for CEQA compliance only and to present to the Board for a non-competitive grant in the future.

BOARD COMMENTS

Ms. Alvis noted that the Proposition 1 grants must be competitive. Ms. Marks suggested that since the Proposition 40 and 84 grants are non-competitive, River Partners would refine the application and the Conservancy could award the grant through a different program and different funding source. The other option is to deny the application and have River Partners reapply on the competitive program for Proposition 1.

Mr. Janzen asked if there was an option to release the 2018-19 request for proposals for the Proposition 1 money earlier than the last time and get some additional projects. Ms. Marks stated staff could try to release the Proposal Solicitation Package in June and have the Board consider proposals in September.

Mr. Frazier asked, since there was only one proposal, how could the Conservancy solicit more partners that can utilize these funds. Mr. Marks mentioned the Conservancy has been fairly comprehensive on the distribution list, but the area of the Conservancy's jurisdiction--the watershed authorized for Proposition 1 grants--is relatively small.

Mr. Gibson inquired whether there could be more projects to employ the Local Conservation Corps and California Conservation Corps, such as for weed abatement, breeches in ponds, more simple labor-intensive jobs.

Ms. Marks stated the Conservancy could consider kick-starting certain projects by getting CEQA planning and permitting done.

Mr. Hatler stated that habitat projects are expensive and complicated.

Mr. Frazier inquired about whether the bridge removal on Road 206 could be eligible for Proposition 1 grant funding. Ms. Marks stated there will be a staff report at the next Board meeting regarding the bridge.

On inquiry from Mr. Gibson about the balance of Proposition 1 funds, Ms. Raus replied there is approximately \$6 million.

Mr. Frazier suggested that River Partners can submit a proposal for a non-competitive grant.

Ms. Marks suggested the work focus on CEQA, and staff would assist them in rewriting the proposal and resubmitting for consideration.

PUBLIC COMMENTS

Mr. Tom Bohigian suggested the Board pursue getting rid of an invasive species at Ball Ranch, the Tree of Heaven, which has groves at the gate and towards the interior closer to the river.

Ms. Sharon Weaver, of the San Joaquin River Parkway and Conservation Trust, mentioned the challenges for a nonprofit in doing a project with a large magnitude. The agency must have the capacity to manage the project, and it would need to be relatively large and financially stable, since costs are advanced by the grantee and then reimbursed.

Mr. Gibson asked if the Conservancy could add staff to help facilitate projects. Ms. Marks answered that each budget cycle agencies can submit budget change proposals, but they are not approved unless there is a new mandate, program, or something driving the need.

Ms. Alvis informed the Board that bond measures typically allow for funding capital projects, with the administering agency having 5% for program delivery costs. It might be worthwhile to look at different examples other State agencies have used to provide technical assistance to help with the issue Ms. Weaver mentioned. It's an issue wherever the State is trying to provide funds to disadvantaged communities and organizations that do not have the capacity to do large scale projects.

Ms. Marks noted both the Conservancy's Associate Government Programs Analyst and the Program Manager position at the Wildlife Conservation Board are funded through the bond funds for program delivery.

Ms. Alvis suggested there might be opportunities for the agency to administer a grant for a smaller agency as a subcontractor to help manage cash flow issues.

Mr. Frazier expressed support for looking into opportunities to facilitate projects.

Mr. Gibson made a motion to take no action to fund the grant to River Partners and accept staff's recommendation to provide feedback to River Partners, allow them to reapply if we are able to provide a faster Proposition 1 application cycle, or allow them to apply for a noncompetitive grant. The Conservancy staff should keep the board informed on ways to make projects more attractive to other parties that might be willing to put these funds to good use in our area. The motion was seconded by Mr. Hatler.

ROLL CALL VOTE:

Name	Yes	No	Abstain
Mr. Frazier	X		
Mr. Oliver	X		
Mr. Brandau	X		
Ms. Auston	X		
Mr. Janzen	X		
Mr. Hatler	X		
Mr. Gresham	X		
Mr. Donnelly	X		
Ms. Alvis	X		
Ms. Lucchesi	X		
Ms. Finn	X		
Ms. Forhan	X		
Mr. Gibson	X		

The motion passed unanimously.

G-3 Create Ad Hoc Board Committee for Recruitment of Executive Officer, to Fill Position in Fall 2018

Staff recommendation: It is recommended the Board identify at least three and no more than five Board members to serve on an ad hoc committee to oversee the recruitment, evaluate candidates, and develop a recommendation to the full Board to fill the Executive Officer position upon retirement of the current Executive Officer in early fall 2018.

Ms. Marks recommended the Board nominate and make a motion to select three to five members to serve on the ad hoc committee to recruit and evaluate candidates for the Executive Officer position. She reported that there is a possibility to contract with a recruitment service without going out for bids, and that for her to continue serving in order to help with the transition, the Conservancy will need to apply to CalHR to secure approval to waive the waiting period for a retired annuitant.

Mr. Frazier stated the chairman and vice chairman would serve on the committee and requested a member from Fresno, Mr. Brandau; the State; and Ms. Forhan, the member with the most longevity of service on the Board.

Mr. Hatler nominated Ms. Alvis, who accepted.

Ms. Marks mentioned board member John Donnelly had indicated he was willing to serve on the committee. Mr. Donnelley, via teleconference, indicated his willingness to be on the committee.

Mr. Oliver asked if it would be possible to incorporate a process for getting feedback from the entire Board to create a candidate profile. Ms. Marks stated she would be able to include that in the contractor's scope of work.

PUBLIC COMMENT

Ms. Clary Creager stated there should be some open involvement from the community in choosing an executive officer; they would be able to provide useful input.

On motion made by Mr. Janzen, the members of the ad hoc committee would include: Brett Frazier, Steve Brandau, William Oliver, Bryn Forhan, John Donnelly, and Julie Alvis, with input from the remaining members of the Board. The motion was seconded by Ms. Auston.

ROLL CALL VOTE:

Name	Yes	No	Abstain
Mr. Frazier	X		
Mr. Oliver	X		
Mr. Brandau	X		
Ms. Auston	X		
Mr. Janzen	X		
Mr. Hatler	X		
Mr. Gresham	X		
Mr. Donnelly	X		
Ms. Alvis	X		
Ms. Lucchesi	X		
Ms. Finn	X		
Ms. Forhan	X		
Mr. Gibson	X		

The motion passed unanimously.

G-4 Report for Informational Purposes on Assembly Bill 3218, Authored by Assemblymember Dr. Joaquin Arambula

Staff recommendation: This item is presented for informational purposes only. No Board action is recommended.

Ms. Marks stated AB 3218 has been amended since the time of the staff report. The amendment primarily deals with the local agencies' concern that State Parks would use eminent domain to acquire lands for the Parkway. The most recent letters from individual Board

members to Assemblymember Arambula suggests language to ensure that the Conservancy would continue to act under its authority and powers to acquire lands and develop the Parkway, while State Parks would take on operations and management.

BOARD COMMENTS

Ms. Forhan stated this is the first opportunity that addresses the struggle to develop the Parkway and resolve the need for operations and maintenance. She hopes there is local support behind the bill as it is needed. She praised Assemblymember Arambula for his leadership in this matter.

Mr. Brandau stated he was a part of an ad hoc committee for operations and maintenance for projects and has always hit a wall--maybe this assembly bill is an opportunity that gets us past that wall. He has been meeting with other elected officials and had really good talks. A number of local electeds are concerned about local control issues, eminent domain, and other concerns about who the decision maker is regarding land use issues. Local control of land use and involvement in Parkway decision-making is important.

Mr. Oliver expressed his appreciation for Assemblymember Arambula going out of his way to engage and encourage talks and negotiations to refine the bill. He stated the issues regarding local control were heard loud and clear, and they are on right track. Board members also need to engage with the other representatives to find solutions.

Mr. Frazier stated he was present in the talks via teleconference and observed an engaged and an open line of communication. He stated this is an opportunity that we need to seize and move forward with. He has talked to both state and local officials and everyone seems open and committed to getting this accomplished. He thanks Assemblymember Arambula, represented in the audience by Ms. Ana Melendez, and the locals for their work on this. Mr. Frazier stated he is in support of the process.

Mr. Gibson asked if the local electeds will be at the hearing on April 24 representing the agencies and pushing the committee to move this forward.

Mr. Brandau stated that for him and several of the Board members, the language in the bill needs to provide assurances about local involvement in Parkway decision-making before they can provide full support.

Mr. Gibson asked Mr. Brandau if he and Mr. Borgeas are on the same page. Mr. Brandau stated they are, and the Fresno Mayor as well. If changes can be made they want to be in full support.

PUBLIC COMMENTS

Ms. Weaver, from the San Joaquin River Parkway and Conservation Trust echoed the appreciation for Assemblymember Arambula and his leadership. Ms. Weaver noted that in May of 1988, then-Assemblymember Costa came to speak at a meeting in support of State Parks' operation of the Parkway. In about 2000, there were state legislative hearings trying to move the idea forward; however, due to budget constraints, the proposal was not funded.

No action was recommended or taken.

H. ADMINISTRATIVE AND COMMITTEE REPORTS

H-1 Organizations

If time allows, the following oral reports will be provided for informational purposes only, and may be accompanied by written reports in the Board packet. No action of the Board is recommended.

H-1a San Joaquin River Parkway and Conservation Trust

Sarah Parkes stated the Trust just finished a Parkway Ambassadors Program visiting various sites. The Parkway Trust will be celebrating its 30th anniversary year and the Parkway Trust will be hosting a special walking cocktail party called Sunset at Spano on Thursday, April 26th.

H-1b RiverTree Volunteers

No report.

H-2 Deputy Attorney General

No report.

H-3 Executive Officer

H-3a River West Fresno, Eaton Trail Extension Work Group, Summary of Activities, February and March 2018

Staff recommendation: This report is for informational purposes. No Board action is recommended.

Ms. Marks updated the board on the progress of the North Palm access. The San Joaquin River Access Corporation is working on securing a consultant for the post-closure land use plan. The consultant will prepare and submit the report to the two regulatory agencies. The agencies will need final design documents before they sign off on a final post closure land use plan, such as grading plans. The Access Corporation has also been renegotiating the proposed Spano easement. The easement is required in order for them to exercise their purchase option; as soon as staff can see the revised easement, the land agent at the Wildlife Conservation Board will review the easement's effects on the potential for State fee title ownership of the property. If the State does not wish to acquire the property, then the land agent will provide guidance on the type of permanent access easement that would be required. Both issues are the critical to make it possible to implement the North Palm access. Also, members of the work group are trying to develop the operations and maintenance costs at least at the budgeting level for the core project elements. If we can identify a resource for the operations and maintenance costs, the Board could authorize the design and permitting to begin to build those first components.

No action was recommended or taken.

H-4 Board Members' Reports

Mr. Janzen informed the Board that Friant Dam may fill if the warm weather and rains continue; releases would be uncontrolled if that occurs.

Mr. Gibson thanked the Conservancy staff for their hard work on the Master Plan Update. Ms. Marks expressed her appreciation for Ms. Morkner-Brown for her work on the FEIR and Resolution documents, which have to be very precise, and her appreciation for Ms. Heidi West who was invaluable in expertly reviewing the many drafts of the Draft EIR and appendices.

Mr. Frazier stated in regards to agenda item G4, the Board should all be proud that its work has elevated the Parkway operations issues, so that it now has the attention of our representatives in the legislature.

J. NOTICE OF BOARD, ADVISORY, AND PUBLIC MEETINGS

None.

K. NEXT BOARD MEETING DATE

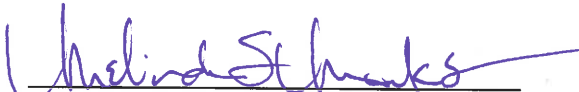
The next Board meeting will be held May 2, 2018. **Please note the earlier starting time of 10:00 a.m. for meetings in February through October.**

L. ADJOURN

Chairman Frazier adjourned the meeting at approximately 12:47 p.m..

Board meeting notices, agendas, and approved minutes are posted on the Conservancy's website, www.sjrc.ca.gov. For further information or if you need reasonable accommodation due to a disability, please contact Jasanjit Bains at (559) 253-7324 or Jasanjit.Bains@sjrc.ca.gov.

Respectfully Submitted,



Melinda S. Marks, Executive Officer